

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

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| <p>DARRIN TROY AMOS,</p> <p>Plaintiff,</p> <p>vs.</p> <p>JOSHUA KLEMIK, UNIT MANAGER, MDSP; TRAVIS TJEERDSMA, CASE MANAGER, MDSP; TAMMY DEJONG, UNIT COORDINATOR, MDSP; JIM HALSEY, CULTURAL AFFAIRS COORDINATOR (CAC), MDSP; SPAK, CO, MDSP; MS. NIXON, CO, MDSP; ROBERT DOOLEY, WARDEN, MDSP, DIRECTOR OF PRISON OPERATIONS FOR SD DOC; AND UNKNOWN DEPARTMENT OF CORRECTIONS STAFF;</p> <p>Defendants.</p> | <p>4:15-CV-04044-KES</p> <p>ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE</p> |
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Plaintiff, Darrin Troy Amos, filed this lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to Magistrate Judge Veronica Duffy pursuant to 28 U.S.C. § 636(b)(1)(B) for the purpose of conducting any necessary hearings, including evidentiary hearings.

On November 18, 2015, the magistrate judge submitted her report and recommended that Amos's complaint (Docket 1) be dismissed without prejudice for failure to serve the complaint on defendants by October 30, 2015. To date, service still has not been completed.

Amos was notified in the report and recommendation that he had 14 days to file objections to the report. Even though no objections were filed that would require de novo review under *Thompson v. Nix*, 897 F.2d 356 (8th Cir. 1990), the court reviewed the matter de novo and finds that the magistrate judge's report and recommendation is adopted in full. Therefore, it is

ORDERED that:

1. The report and recommendation of the magistrate judge (Docket 15) is adopted in full.
2. Amos's complaint is dismissed without prejudice for failure to serve the complaint on defendants.

Dated December 16, 2015.

BY THE COURT:

/s/ Karen E. Schreier
KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE